

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b> Caption in Compliance with D.N.J. LBR 9004-2(c)	
<b>Robertson, Anschutz, Schneid, Crane &amp; Partners, PLLC</b> 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone: 973-575-0707 (local) Attorneys for Secured Creditor	
<b>In Re:</b>  <b>Nora E. Cucalon Debtor.</b>	Case No.: <b>21-17884-CMG</b>  Chapter: 13  Hearing Date: May 21, 2025  Judge: Christine M. Gravelle

**LIMITED RESPONSE DEBTOR'S  
MOTION TO SELL 137 MARINA BAY CT, HIGHLANDS BORO, NJ**

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, AS TRUSTEE, AS SUCCESSOR-IN-INTEREST TO U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE J.P. MORGAN MORTGAGE ACQUISITION TRUST 2006-CH1 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-CH1 ("Secured Creditor"), by and through undersigned counsel, hereby files its Limited Response to Debtor's Motion to Sell 137 Marina Bay Ct, Highlands Boro, NJ (Docket 46) (hereinafter the "Motion") and, in support thereof, states as follows:

1. Nora E. Cucalon ("Debtor") filed the instant Chapter 13 Petition on October 8, 2021 (the "Petition Date").
2. Secured Creditor holds a security interest in the Debtors' real property located at 137 Marina Bay Ct. Highlands, NJ 07732 (the "Property") by virtue of a Mortgage in the principal amount of \$305,625.00, dated February 9, 2006 and recorded in the Office of the Clerk/Register of Deeds for Monmouth County on March 25, 2006 in Book OR-8551, at Page 3497 (the "Mortgage").

3. On December 17, 2021, Secured Creditor timely filed its Proof of Claim (See Claim No. 12-1). The Proof of Claim reflects that as of the Petition Date, Secured Creditor held a secured claim in the amount of \$552,636.99, with pre-petition arrears in the amount of \$138,860.68

4. On April 22, 2025, the Debtors filed the instant Motion to Sell Property (the "Motion"). The Debtor's Motion seeks the Court's approval to sell the Subject Property for \$530,000.00 (the "Proposed Sale Price").

5. The estimated payoff of Secured Creditor's lien is \$481,754.07 as of May 1, 2025. Secured Creditor will provide an updated payoff at or near the scheduled closing of the sale. . Please contact SPS - Select Portfolio Servicing, Inc. the servicer at 800-258-8602 or Relationship.Manager@Spservicing.com for an updated payoff at or near the scheduled closing of the sale.

6. Secured Creditor does not object to the Debtors' Motion to the extent that any sale is subject to Secured Creditor's lien and that Secured Creditor's lien will be paid in full at the closing of said sale based upon an up to date payoff quote.

7. Secured Creditor is filing its Response in an abundance of caution, as Secured Creditor wants it to be clear that it should not be compelled to participate in a sale of the property absent payment in full of Secured Creditor's mortgage lien on the real property without being given the right to credit bid pursuant to 11 U.S.C. § 363(k).

8. Furthermore, Secured Creditor requests that failure to complete any sale within 90-days of entry of this Order will result in any Order authorizing the sale to be deemed moot.

9. Secured Creditor reserves the right to supplement this response at or prior to any hearing on this matter.

**WHEREFORE**, Secured Creditor respectfully requests entry of an order in compliance with the above conditions and for such other and further relief as the Court deems just and proper.

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**CERTIFICATION OF SERVICE**

1. I, Kenneth J. Borger represent U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, AS TRUSTEE, AS SUCCESSOR-IN-INTEREST TO U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE J.P. MORGAN MORTGAGE ACQUISITION TRUST 2006-CH1 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-CH1 in this matter.
2. On 5/5/2025, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below. **Limited Response to Debtor's Motion to Sell 137 Marina Bay Ct, Highlands Boro, NJ 07732**
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

**Robertson, Anschutz, Schneid,  
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Attorneys for Secured Creditor

By: /s/ Kenneth J. Borger, Esq.  
NJ Bar ID: 171092015  
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Name and Address of Party Served	Relationship of Party to Case	Mode of Service
<b>Nora E. Cucalon</b> 137 Marina Bay Court Highlands, NJ 07732	Debtor	<input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-Mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by court*)
<b>Steven A. Serna</b> Law Offices of Steven A. Serna LLC 5300 Bergenline Avenue, Suite 300 West New York, NJ 07093	Debtors' Attorney	<input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by court*)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853	Trustee	<input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by court*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	US Trustee	<input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by court*)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.